

● PRINTER RUSH ●
(PTO ASSISTANCE)

Application : <u>09/328,828</u>	Examiner : <u>Kenneth Tang</u>	GAU : <u>2195</u>
From : <u>S. Winslow</u>	Location : <u>IDC</u> FMF FDC	Date : <u>12-21-05</u>

Tracking #: EPM/09/328,828 Week Date: 10-24-05

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449	_____	<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS	_____	<input type="checkbox"/> Foreign Priority
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<input type="checkbox"/> IIFW	_____	<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW	_____	<input type="checkbox"/> Other
<input type="checkbox"/> DRW	_____	
<input checked="" type="checkbox"/> OATH	_____	
<input type="checkbox"/> 312	_____	
<input type="checkbox"/> SPEC	_____	

[RUSH] MESSAGE: <u>Please provide oath.</u>
<u>Thanks</u>

[XRUSH] RESPONSE: _____
<u>See misc comm</u>
<u>Done</u>
INITIALS: <u>(Signature)</u>

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.
REV 10/04

FAX TRANSMISSION

DATE: 2/6/06

PTO IDENTIFIER: Application Number 09/328,828-Conf. #7344
Patent Number

Inventor: Samuel Galpin

MESSAGE TO: Commissioner for Patents

FAX NUMBER: (703) 308-6642

FROM: NUTTER MCCLENNEN & FISH LLP

David J. Powsner

PHONE: (617) 439-2000

Attorney Dkt. #: 102314-0082

PAGES (Including Cover Sheet): 44 (Part 1 of 2)

CONTENTS:	Response to Notice to File Corrected Application Papers (1 page)
	Combined Declaration and Power of Attorney (including Exhibit A) (41 pages)
	Certificate of Transmission (1 page)

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Telephone: (617) 439-2000 Facsimile: (617) 310-9000

PTO/SB/97 (09-04)

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Application No. (if known): 09/328,828

Attorney Docket No.: 102314-0082

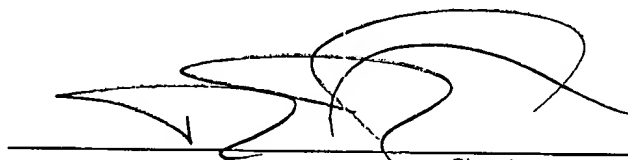
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on

2/6/06

Date



Signature

David J. Powsner

Typed or printed name of person signing Certificate

31,868

Registration Number, if applicable

(617) 439-2717

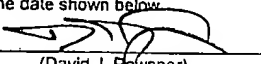
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Response to Notice to File Corrected Application Papers (1 page)
Combined Declaration and Power of Attorney (including Exhibit A) (41 pages)

1501591.1

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Dated: 2/6/06 Signature: 

(David J. Powsner)

Docket No.: 102314-0082
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Samuel Galpin

Application No.: 09/328,828

Filed: June 8, 1999

Confirmation No.: 7344

Art Unit: 2127

For: METHODS AND APPARATUS FOR FAULT-
DETECTING AND FAULT-TOLERANT
PROCESS CONTROL

Examiner: K. Tang

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Corrected Application Papers mailed January 6, 2006, enclosed are: a Copy of Notice to File Corrected Application Papers, a Combined Declaration and Power of Attorney, an Application Data Sheet, and a Certificate of Facsimile Transmission.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 102314-0082.

Dated: 2/6/06

Respectfully submitted,

By 

David J. Powsner

Registration No.: 31,868

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

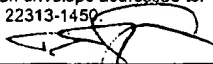
155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2717

(617) 310-9717 (Fax)

Attorney for Applicant

Declaration for Patent Application	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
Dated: <u>2/6/06</u>	Signature:  (David J. Powsner)

Attorney Docket No.: 102314-0082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**DECLARATION FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND APPARATUS FOR FAULT-DETECTING AND FAULT-TOLERANT PROCESS CONTROL

the specification of which was filed on June 8, 1999 as Application No. 09/328,828 and is attached hereto as Exhibit A.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as originally filed, and as amended by an amendment, if any, specifically referred to in the original filing.

I hereby also declare that the subject matter of the amendments filed on November 22, 2004, July 5, 2005, and September 9, 2005, all attached hereto as Exhibit B, was part of the invention and was invented before the filing date of the original application, above identified for such invention.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

Attorney Docket No.: 102314-0082

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		___ Yes No ___
		___ Yes No ___
		___ Yes No ___

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose

Attorney Docket No.: 102314-0082

all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 021125

all of **Nutter McClennen & Fish LLP**, World Trade Center West, 155 Seaport Boulevard, Boston, Massachusetts 02210-2604, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

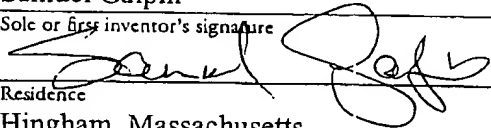
Please mail all correspondence to David J. Powsner at **Customer Number 021125**, whose address is:

Nutter McClennen & Fish LLP
World Trade Center West
155 Seaport Boulevard
Boston, Massachusetts 02210-2604

Please direct telephone calls to: David J. Powsner at (617) 439-2000.

Please direct facsimiles to: (617) 310-9717

Attorney Docket No.: 102314-0082

Full name of sole or first inventor Samuel Galpin	
Sole or first inventor's signature 	Date JAN 25, 2006
Residence Hingham, Massachusetts	
Citizenship US	
Mailing Address 38 Highview Drive Hingham, Massachusetts 02043	

1496124.1

FAX TRANSMISSION

DATE: 2/6/06

PTO IDENTIFIER: Application Number 09/328,828-Conf. #7344
Patent Number

Inventor: Samuel Galpin

MESSAGE TO: Commissioner for Patents

FAX NUMBER: (703) 308-6642

FROM: NUTTER MCCLENNEN & FISH LLP

David J. Powsner

PHONE: (617) 439-2000

Attorney Dkt. #: 102314-0082

PAGES (Including Cover Sheet): ⁴³
~~42~~ (Part 2 of 2)

CONTENTS: Exhibit B to Combined Declaration and Power of Attorney (37 pages)
Application Data Sheet (2 pages)
Copy of Notice (1 page)
Certificate of Transmission (1 page)
**Copy of Response to Notice to File Corrected Application
Papers (1 page)**

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Telephone: (617) 439-2000 Facsimile: (617) 310-9000

PTO/SB/97 (09-04)

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Application No. (if known): 09/328,828

Attorney Docket No.: 102314-0082

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David J. Powsner

Typed or printed name of person signing Certificate

31,868

Registration Number, if applicable

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Application Data Sheet (2 pages)

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Copy of Response to Notice to File Corrected
Application Papers (1 page)

1501803.1

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Dated: 2/6/06 Signature: [Signature]

(David J. Powsner)

Docket No.: 102314-0082
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Samuel Galpin

Application No.: 09/328,828

Filed: June 8, 1999

Confirmation No.: 7344

Art Unit: 2127

For: METHODS AND APPARATUS FOR FAULT-
DETECTING AND FAULT-TOLERANT
PROCESS CONTROL

Examiner: K. Tang

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

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The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 102314-0082.

Dated: 2/6/06

Respectfully submitted,

By [Signature]

David J. Powsner

Registration No.: 31,868

NUTTER MCLENNEN & FISH LLP

World Trade Center West

155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2717

(617) 310-9717 (Fax)

Attorney for Applicant

Application Data Sheet**Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	2127
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	METHODS AND APPARATUS FOR FAULT-DETECTING AND FAULT- TOLERANT PROCESS CONTROL
Attorney Docket Number::	102314-0082
Request for Early Publication?::	No
Request for Non-Publication?::	No
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	Samuel
Family Name::	Galpin
City of Residence::	Hingham
State or Province of Residence::	MA
Country of Residence::	US
Street of mailing address::	38 Highview Drive
City of mailing address::	Hingham
State or Province of mailing address::	MA
Postal or Zip Code of mailing address::	02043

Correspondence Information

Correspondence Customer Number:: 021125

Representative Information

Representative Customer Number:: 021125

Assignee Information

Assignee name:: INVENSYS SYSTEMS, INC.
Street of mailing address:: 33 Commercial Street
City of mailing address:: Foxboro
State or Province of mailing address:: MA
Postal or Zip Code of mailing address:: 02035

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
09328828

Date Mailed
1/06/06

NOTICE TO FILE CORRECTED APPLICATION PAPERS***Notice of Allowance Mailed***

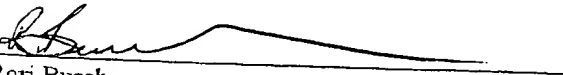
This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- ♦ Oath/declaration/ADS is missing from the application. Fax missing information to number below or e-mail.
 - o For status updates visit <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR System, contact the Electronic Business Center (EBC) toll free at 866-217-9197.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice **MUST** be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450


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